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REMARKS

Claims 1-38 are pending in this application. Claims 1-38 are rejected. No new matter has been added. It is respectfully submitted that the pending claims define allowable subject matter.

As an initial matter, the two month response date for responding to the outstanding Office Action was July 4, 2006, which is a Federal holiday. Pursuant to MPEP 706.07(f), "if the last day of "2 months of the date of the final Office action" falls on Saturday, Sunday, or a Federal holiday within the District of Columbia, and a reply is filed on the next succeeding day which is not a Saturday, Sunday, or a Federal holiday, pursuant to 37 CFR 1.7(a), the reply is deemed to have been filed within the 2 months period and the shortened statutory period will expire at 3 months from the date of the final rejection or on the mailing date of the advisory action, whichever is later." Accordingly, this Request for Reconsideration is being filed within the 2 month period.

Claims 1, 16 and 25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hatfield et al. (U.S. Patent 5,779,641) in view of Hossack et al. (U.S. Patent 6,116,244). Applicant respectfully traverses the 35 U.S.C. § 103(a) rejection.

The Office Action states that the system of Hatfield et al. includes a graphics processor that "produces graphics overlays that are understood to be the rendering shapes defined by the vertex entries." Applicant respectfully disagrees. The system of Hatfield et al. simply does not render ultrasound images using rendering shapes. Hatfield et al. describes formatting an image or multiple images such that a graphics overlay is superimposed on the displayed image(s) (column 2, lines 2-4 and 57-60). As is known, these graphics overlay may be used, for example, to provide modality image measurements, image guided interventions, image archiving, etc. However, there is simply no description or suggestion of using rendering shapes as recited in independent claims 1, 16 and 25. The graphics overlays described in Hatfield et al. are simply visual enhancements *superimposed* on displayed images and are not shapes that are used to *form* an image. Accordingly, the combination of Hatfield et al. and Hossack et al. fails to describe or suggest at least some of the elements recited in independent claims 1, 16 and 25.

The additional prior art relied on in connection with Hatfield et al. and Hossack et al. to reject the dependent claims simply do not make up for the deficiencies in these references including failing to show the use of rendering shapes to form an image. Accordingly, dependent claims 2-15, 17-24 and 26-38 are likewise patentable over the cited art based at least on these claims dependency from an independent claim, each of which is submitted to be allowable over the prior art.

For at least the reasons set forth above, Applicant respectfully requests that the 35 U.S.C. § 103 rejection of claims 1-38 be withdrawn.

In view of the foregoing remarks, it is respectfully submitted that the prior art fails to teach or suggest the claimed invention and all of the pending claims in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the telephone number listed below.

Respectfully Submitted,



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